



09-01-06

AF / ZZW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William F. AFTOORA Docket No.: WFA-1400
Serial No: 10/049,876 Examiner: DREW BECKER
Filed: June 7, 2002 Art Unit.: 1761
Title: Flavored Solid-Form Food Product and Method of Preparation

MAIL STOP AF
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

**RESPONSE AND PETITION FOR EXTENSION OF TIME TO MAINTAIN
APPLICATION PENDING THAT IS TO BE ABANDONED UPON FILING A
CONTINUATION APPLICATION CLAIMING ITS BENEFIT.**

Dear Sir:

Applicant, through his Attorney, respectfully responds to the Final Office Action mailed on March 2, 2006 as follows.

REMARKS

1. The response in this application is a bona fide attempt by Applicant to respond to the Final Office Action mailed on March 2, 2006. The present response comprises a separately filed:

- ☒ Continuation Application
☐ Continuation-in-part (CIP) Application
☐ Continued Prosecution Application (CPA)

A copy of this response and petition for extension of time is being filed with the papers constituting the filing of the separately filed continuation application.

2. Please abandon this application conditioned only upon the granting of a filing date for the separately filed continuation application, so as to make the continuation application copending with this application.

Certificate of Express Mailing

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as Express Mail - Label No. EV915786591US - "Express Mail Post Office to Addressee" in an envelope with sufficient postage addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Lana A. Rafi

(type or print name of person signing paper)

Lana A. Rafi

(signature of person mailing paper)

9-1-06

(date)

09/06/2006 SLUARDI 00000019 10049876

01 FC:2253

450.00 OP

3. This application is on behalf of:

☒ a small entity.

A Written Assertion Establishing Small Entity Status:

☐ is enclosed.

☒ was already filed in the parent application. This status is still proper and its benefit under 37 C.F.R. §1.27(a) is hereby claimed.

☐ other than a small entity.

4. Extension of Time Requested

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136(a) apply.

(a) ☒ Applicant petitions for an extension of time under 37 C.F.R. §1.136(a) (fees: 37 C.F.R. §1.17(a)(1)-(4)) for the total number of months checked below.)

Extension months	Fee for other than small entity	For small entity
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input checked="" type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00
<input type="checkbox"/> five months	\$ 2,160.00	\$ 1,080.00

Extension Fee: \$ 510.00

If an additional extension of time is required, please consider this a petition therefor.

☒ An extension for one (1) month has already been secured and the fee paid therefor of \$60.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$450.00

Application Serial No.: 10/049,876
Applicant: William F. AFTOORA
Response Filed: September 1, 2006
In Response to Office Action mailed on March 2, 2006
and Advisory Action mailed on July 19, 2006

OR

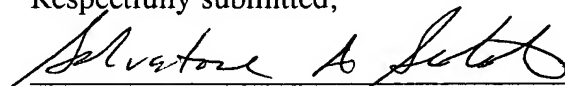
- (b) ☐ This is a conditional petition for an extension of time. Applicant believes that no extension of time is required to respond to the Office Action or to establish copendency between the parent application and the contemporaneously and separately filed continuation application. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for an extension of time. If an additional extension is required, please consider this a petition therefor.

5. Fee Deficiency

Authorization to Charge Deposit Account

In the event a fee is applicable to the filing of this document and the required fee is not enclosed, or a fee submitted is insufficient, the Director is hereby authorized to charge any fees for Docket No. WFA-1400 which might be required to effect the filing of this (these) document(s) to Account No. 50-3275. This authorization is being submitted in duplicate.

Respectfully submitted,



Customer No. 23575

Joseph G. Curatolo, Esq. (Reg. No. 28,837)
Salvatore A. Sidoti, Esq. (Reg. No. 43,921)
Curatolo Sidoti Co., L.P.A.
24500 Center Ridge Road, Suite 280
Cleveland, OH 44145
Telephone: 440.808.0011
Facsimile: 440.808.0657
Attorneys for Applicant

9-1-06
Date

OR

- (b) ☐ This is a conditional petition for an extension of time. Applicant believes that no extension of time is required to respond to the Office Action or to establish copendency between the parent application and the contemporaneously and separately filed continuation application. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for an extension of time. If an additional extension is required, please consider this a petition therefor.

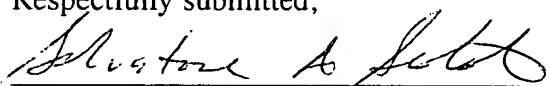
5. Fee Deficiency

Authorization to Charge Deposit Account

In the event a fee is applicable to the filing of this document and the required fee is not enclosed, or a fee submitted is insufficient, the Director is hereby authorized to charge any fees for Docket No. WFA-1400 which might be required to effect the filing of this (these) document(s) to Account No. 50-3275. This authorization is being submitted in duplicate.

Respectfully submitted,

Customer No. 23575



Joseph G. Curatolo, Esq. (Reg. No. 28,837)
Salvatore A. Sidoti, Esq. (Reg. No. 43,921)
Curatolo Sidoti Co., L.P.A.
24500 Center Ridge Road, Suite 280
Cleveland, OH 44145
Telephone: 440.808.0011
Facsimile: 440.808.0657
Attorneys for Applicant

9-1-06
Date